

REMARKS

Claims 1-16 remain for consideration. Claims 1 and 13 are amended to advance prosecution. All remaining claims are thought to be allowable over the cited art.

The office action fails to establish that claims 1-15 are indefinite under 35 U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim subject matter which Applicant regards as the invention. Applicant nevertheless has amended claims 1 and 13 in order to advance prosecution of the instant application.

The office action fails to establish that claims 1-7 and 13-16 are unpatentable over U.S. Patent No. 6,870,391 to Sharpe-Geisler under 35 U.S.C. 103(a).

In particular, "35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. After indicating that the rejection is under 35 U.S.C. 103, the examiner should set forth in the Office action:

(A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,

(B) the difference or differences in the claim over the applied reference(s),

(C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and

(D) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification." (MPEP § 706.02(j)).

The Office Action admits as to the deficiency of Sharpe-Geisler to teach or suggest the limitations of Applicant's independent claims 1, 13, and 16, by virtue of the rejection under 35 U.S.C. § 103. However, the Office Action fails to identify any differences between claims 1, 13, and 16 and the teachings of Sharpe-Geisler as suggested by requirement B). The Office Action also fails to propose modifications to the teachings of Sharpe-Geisler to arrive at the claimed subject matter, in violation of requirement C). Accordingly, the Office Action fails to provide a motivation to make such modifications, which is in violation of requirement D).

To establish *prima facie* obviousness of a claimed invention, the Examiner has the burden of proving that three basic criteria are met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure. All three of these criteria must be met in order to support a finding of *prima facie* obviousness of a claimed invention (See MPEP § 2142).

Concerning the third criteria, which must be met to establish *prima facie* obviousness of a claimed invention, the Office Action fails to show that Sharpe-Geisler teaches all of the limitations of Applicant's claim 1. In particular, the Office Action suggests a correspondence between Sharpe-Geisler's transistors 405, 417 and the "current source coupled to provide a current signal substantially independent of temperature variations" as recited in Applicant's claim 1. The Office Action further suggests a correspondence between transistor 423 and the "bias circuit adapted to provide a first bias signal in response to the current signal" as recited in Applicant's claim 1.

Sharpe-Geisler appears to teach that the current reference at node, VBSNRF, provides a reference current which does not vary significantly with temperature, since current from current source 405, that increases with temperature changes, is summed with the current from transistor 417, that decreases with temperature at node VBSNRF. (See FIG. 5C2 and column 11, lines 60-64). However, Sharpe-Geisler's transistor 423 apparently only receives a portion of current from transistor 417, which decreases with temperature. (See column 11, lines 61-62). Since transistor 423 apparently only receives current that decreases with temperature, it seems to follow that the bias signal purportedly generated by transistor 423, as suggested by the Office Action, is provided in response to a current signal that decreases with temperature. The bias signal as generated in Applicant's claim 1, on the other hand, is generated in response to "a current signal [that is] substantially independent of temperature variations." In contrast, the bias signal generated by transistor 423, as

suggested by the Office Action, is apparently generated by a current signal that is substantially dependent of temperature variations (i.e., decreasing with temperature), rather than being generated by a current signal that is substantially independent of temperature variations.

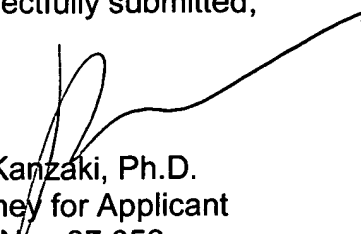
The Office Action further suggests a correspondence between Sharpe-Geisler's transistor 424 and the "decoupler [that is] responsive to the first bias signal and a first power supply signal" as recited in Applicant's claim 1. As discussed above, the Office Action suggests that Sharpe-Geisler's transistor 423 generates the bias signal, which is apparently generated at its output node, VBSNRF. It appears, however, that Sharpe-Geisler's transistor 424 is not responsive to the bias signal, since the purported bias signal is generated by transistor 423 at the output terminal of transistor 424, rather than at the input terminals, i.e., the gate or drain terminals, of transistor 424. (See FIG. 5C2). Thus, it appears that transistor 424 cannot be responsive to the bias signal, which is in contradistinction to Applicant's claim 1. Applicant respectfully submits, therefore, that claim 1 patentably distinguishes over Sharpe-Geisler and is in condition for allowance. Applicant's claims 13 and 16 set forth similar limitations, as discussed above in relation to claim 1, and are, therefore, also in condition for allowance.

Dependent claims 2-12 and 14-15, which are dependent from independent claims 1 and 13, respectively, are also rejected under 35 U.S.C. §103(a) as being unpatentable over Sharpe-Geisler. While Applicant does not acquiesce to any particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent claims 1 and 13. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the cited references.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

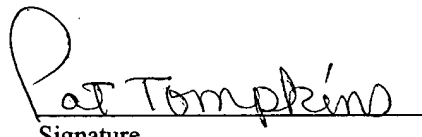
Respectfully submitted,



Kim Kanzaki, Ph.D.
Attorney for Applicant
Reg. No.: 37,652
(408) 879-6149

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 14, 2006.

Pat Tompkins
Name



Signature